

REMARKS

Applicant thanks the Examiner for the careful examination of the present application. By the present amendment, Claims 1–7, 9, 14–16, and 21 have been amended. Claims 8 and 22–28 have been canceled. Thus, Claims 1–7, 9, 14–16, and 21 are presented for examination, of which Claims 1 and 3 are independent. No new matter has been added. Applicant respectfully requests reconsideration and allowance of the application in view of the amendments set forth above and the remarks that follow.

This application includes two independent claims 1 and 3. By this amendment, these claims have been amended to incorporate subject matter recited in Claim 8. Claim 1 relates to displaying “a condition screen” whose vertical axis represents the injection rate and horizontal axis represents injection time. On the other hand, claim 3 relates to displaying the condition screen with injection rate and injection quantity (i.e. liquid volume). To clarify the present invention, we have added “to thereby change the injection rate” and other similar limitations. Support for this amendment can be found for example in the paragraphs [0091] and [0092] in US2006/0184122A1.

Discussion of Drawing Objections – 37 CFR 1.83(a)

The Examiner has objected to the drawings under 37 CFR 1.83(a), as they fail to show certain elements coupled to other elements. Figure 5 has been amended to correct these deficiencies. Applicant believes that this amendment resolves these objections, and therefore respectfully requests withdrawal of these objections.

Discussion of Drawing Objections – 37 CFR 1.84(p)(4) and (5)

The Examiner has objected to the drawings under 37 CFR 1.83(p)(4), because the numbers 116, 118 and 1000 were each used for more than one element. The Examiner has further objected to the drawings under 37 CFR 1.83(p)(5), because the numbers 200 and 146 were used in the specification, but do not appear in the drawings. Applicant has amended the specification and Figures 1, 2, 3, and 5 to correct these defects. Applicant believes that these amendments resolve these objections, and therefore respectfully requests withdrawal of these objections.

Discussion of Specification Objections

The Examiner has objected to the specification due to several informalities which appear to be typos. These informalities have been amended. Applicant believes that these amendments resolve these objections, and therefore respectfully requests withdrawal of these objections.

Discussion of Claim Objections

The Examiner has objected to Claims 7, 22, and 23 due to informalities. Claims 22 and 23 have been canceled in the present amendment. Claim 7 has been amended to correct the word “difference” to “different,” as recommended by the Examiner. Upon entry of this amendment, Applicant respectfully requests withdrawal of this objection.

Discussion of Claim Rejections – 35 U.S.C. § 112

Claims 1-9, 14-16, and 21-28 have been rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner stated that a number of claim limitations using the word “means” were means plus function limitations that invoke 35 U.S.C. § 112, paragraph 6. *Office Action*, at ¶ 18. The Examiner further stated that the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed function. *Id.* The Applicant has therefore amended each Claim so that the word “means” has been replaced by the word “mechanism” or “part.” Accordingly, the claims no longer includes means plus function limitations, and Applicant respectfully requests withdrawal of this rejection.

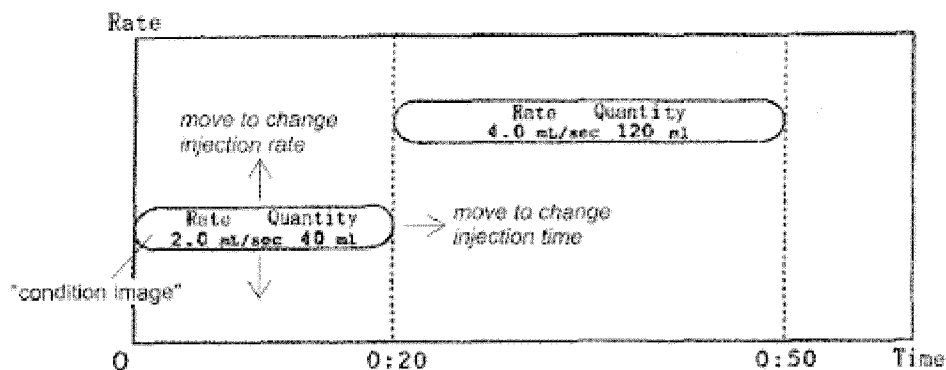
Discussion of Claim Rejections – 35 U.S.C. § 103

Claims 1-7, 9, and 21-26 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over European Patent Application EP 0985421 A2 to Baxter International Inc. (hereinafter “*Baxter*”) in view of U.S. Patent Publication No. 2002/0007116 A1 to Zatezalo et al. (hereinafter “*Zatezalo*”). Claims 8 and 14-16 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over *Baxter* in view of *Zatezalo* and further in view of U.S. Patent 5,530,796 to Wang (hereinafter “*Wang*”).

Independent Claims 1 and 3

Applicant has amended the two independent claims, Claims 1 and 3, to include language from Claim 8. Amended Claim 1 now recites that “. . . wherein the condition entering part is configured to accept (i) an input action for moving the condition image upward or downward to thereby change the injection rate, or to accept (ii) an input action for moving a lateral end of the condition image leftward or rightward to thereby change the injection time.” Amended Claim 3 includes a similar recitation.

According to this feature, an operator can easily and intuitively change the “injection condition,” such as injection rate or injection time, by moving the displayed condition image upward/downward and/or leftward/rightward. The operator doesn’t need to enter specific numerals, for example 2.0 mL/min for injection rate, when setting an injection condition. The below illustration (an annotated version of Figure 8) is provided to help the Examiner visualize what is being described. In this illustration, moving the “condition image” upwards may increase the injection rate while moving it downwards may decrease the injection rate. Similarly, moving the condition image to the right may increase the injection time, while moving the image to the left may decrease the injection time.



The Examiner states that neither *Baxter* nor *Zatezalo* discloses this feature. *Office Action*, at ¶ 36. The Examiner further states that “Wang discloses wherein the condition entering means accepts an input action to move the condition image ... upward and/or downward and to move both lateral ends of the condition image leftward and/or rightward.” *Id.* However, *Wang* merely discloses the computer user interface used in a personal computer. *Wang* neither teaches nor suggests the claimed feature as claim 1 which relates to injection of medical liquid to a patient.

Application No.: 10/565085
Filing Date: January 17, 2006

Accordingly, the combination of *Baxter* with *Zatezalo* and *Wang* fails to disclose all elements of both Claim 1 and Claim 3. Accordingly, Applicant respectfully requests withdrawal of this rejection.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

Any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim should not be understood to base patentability on solely that portion; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the cited reference discloses or teaches, even if not expressly discussed herein.

Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Rather, these amendments

Application No.: 10/565085
Filing Date: January 17, 2006

have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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